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6 Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 || v.

14 | LANCE JAKELL HENDERSON,

15 Defendant.

CASE NO. 1:23-CR-00024-ADA-BAM

**STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER**

DATE: April 12, 2023

TIME: 1:00 p.m.

COURT: Hon Barbara A. McAuliffe.

## STIPULATION

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
19 through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on April 12, 2023.

2. By this stipulation, defendant now moves to continue the status conference until July 12, and to exclude time between April 12, 2023, and July 12, 2023, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that discovery associated with this case has been provided. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying. The government has made inquiries and is in the process of ascertaining if there are additional reports /other discovery that needs to be processed and provided to the defense.

1                   b)     Counsel for defendant desires additional time to review the discovery, conduct  
2 investigation. The government is will be providing a plea agreement to defense counsel for  
3 consideration.

4                   c)     Counsel for defendant believes that failure to grant the above-requested  
5 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
6 into account the exercise of due diligence.

7                   d)     The government does not object to the continuance.

8                   e)     Based on the above-stated findings, the ends of justice served by continuing the  
9 case as requested outweigh the interest of the public and the defendant in a trial within the  
10 original date prescribed by the Speedy Trial Act.

11                  f)     For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
12 et seq., within which trial must commence, the time period of April 12, 2023 to July 12, 2023,  
13 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]  
14 because it results from a continuance granted by the Court at defendant's request on the basis of  
15 the Court's finding that the ends of justice served by taking such action outweigh the best interest  
16 of the public and the defendant in a speedy trial.

17       4.     Nothing in this stipulation and order shall preclude a finding that other provisions of the  
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
19 must commence.

20                  IT IS SO STIPULATED.

22                  Dated: April 4, 2023

PHILLIP A. TALBERT  
United States Attorney

24                  \_\_\_\_\_  
25                  /s/ LAUREL J. MONTOYA  
LAUREL J. MONTOYA  
26                  Assistant United States Attorney  
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28

1 Dated: April 4, 2023

/s/ ALEKXIA TORRES  
STALLINGS

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ALEKXIA TORRES  
STALLINGS  
Counsel for Defendant  
LANCE JAKELL  
HENDERSON

7 **ORDER**

8 IT IS SO ORDERED that the status conference is continued from April 12, 2023, to **July 12, 2023,**  
9 **at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe.** Time is excluded pursuant to 18 U.S.C. §  
10 3161(h)(7)(A), B(iv).

11 IT IS SO ORDERED.

12 Dated: April 5, 2023

13 /s/ Barbara A. McAuliffe

14 UNITED STATES MAGISTRATE JUDGE